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3 FAIR POLITICAL PRACTICES COMMISSION  
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7

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
9 STATE OF CALIFORNIA  
10

11 In the Matter of	)	FPPC No.: 2000/826
	)	
12 JAMES M. GARDINER, COMMITTEE TO	)	STIPULATION, DECISION and
	)	ORDER
13 ELECT JIM GARDINER SHERIFF, and ROBERT E.	)	
	)	
14 WACKER,	)	
	)	
15	)	
	)	
16 Respondents.	)	
	)	

17  
18 Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and  
19 Respondents James M. Gardiner, Committee to Elect Jim Gardiner Sheriff, and Robert E. Wacker,  
20 hereby agree that this Stipulation will be submitted for consideration by the Fair Political Practices  
21 Commission at its next regularly scheduled meeting.

22 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this  
23 matter, and to reach a final disposition without the necessity of holding an administrative hearing to  
24 determine the liability of Respondents.

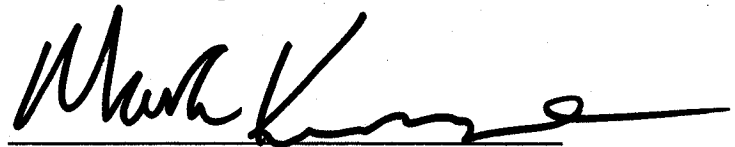
25 Respondents understand and hereby knowingly and voluntarily waive, any and all procedural  
26 rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2  
27 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear  
28 at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own

1 expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to  
2 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a  
3 hearing officer.

4 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing  
5 to report sub-vendor information on campaign statements filed during 1998, in violation of Government  
6 Code section 84303 (1 count), as described in Exhibit 1, which is attached hereto and incorporated by  
7 reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this  
8 matter.

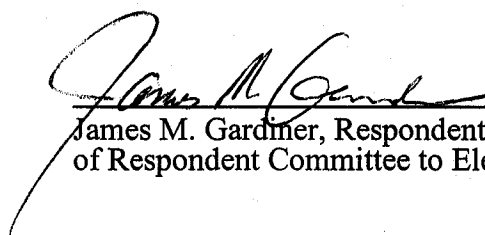
9 Respondents agree to the issuance of the Decision and Order which is attached hereto.  
10 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount  
11 of Five Hundred Dollars (\$500.00). A cashier's check from Respondents in said amount, made payable  
12 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the  
13 administrative penalty, and shall be held by the State of California until the Commission issues its  
14 Decision and Order regarding this matter. The parties agree that in the event the Commission refuses to  
15 accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the  
16 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in  
17 connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and  
18 agree that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the  
19 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,  
20 shall be disqualified because of prior consideration of this Stipulation.

21  
22 Dated: 2/20/02



23 Mark Krausse  
24 Executive Director  
25 Fair Political Practices Commission

26  
27 Dated: 2/11/02



28 James M. Gardiner, Respondent, individually and on behalf  
of Respondent Committee to Elect Jim Gardiner Sheriff

2/11/02

Rebecca

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